

JAN 18 2008

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

DEWI KARTIKA,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 04-71659

Agency No. A79-528-457

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted January 14, 2008^{**}

Before: HALL, O'SCANNLAIN and PAEZ, Circuit Judges.

Dewi Kartika, a native and citizen of Indonesia, petitions for review of the Board of Immigration Appeals' decision, summarily affirming an Immigration Judge's ("IJ") order denying her application for asylum, withholding of removal

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

and relief under the Convention Against Torture (“CAT”). We have jurisdiction pursuant to 8 U.S.C. § 1252. We review for substantial evidence, *see Malhi v. INS*, 336 F.3d 989, 992-93 (9th Cir. 2003), and we deny the petition.

Substantial evidence supports the IJ’s finding that Kartika failed to demonstrate past persecution. *See Singh v. INS*, 134 F.3d 962, 970-71 (9th Cir. 1998). Substantial evidence further supports the IJ’s finding that Kartika failed to establish a well-founded fear of future persecution, because she failed to demonstrate the requisite individualized risk of persecution. *Cf. Sael v. Ashcroft*, 386 F.3d 922, 927 (9th Cir. 2004). Accordingly, Kartika’s asylum claim fails.

Because Kartika cannot meet her burden to demonstrate eligibility for asylum, she necessarily fails to meet the more stringent standard for withholding of removal. *See Mansour v. Ashcroft*, 390 F.3d 667, 673 (9th Cir. 2004).

Substantial evidence also supports the denial of CAT relief. *See Malhi v. INS*, 336 F.3d 989, 993 (9th Cir. 2003).

PETITION FOR REVIEW DENIED.